

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**January 24, 2023**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, January 24, 2023. Those present for all or part of the meeting were:

Garth E. Thomas	President
Larry C. Nottingham	Vice-President
L.A. Gates	Secretary
Bhajan S. Saluja	Member
Edward L. Robinson	Member
Lesley L. Rosier-Tabor	Executive Director
Edward Eagloski	Board Counsel

The meeting was called to order at 10:10am. The Board meeting minutes for the November 16, 2022 meeting were reviewed. A motion to amend the draft minutes was made by Dr. Nottingham, seconded by Mr. Robinson. Motion carried. A motion to approve the minutes as amended was then made by Dr. Nottingham, seconded by Mr. Robinson. Motion carried.

The Board budget summaries for November and December 2022 were received and reviewed, and the Board reviewed the Pcard transactions for the months of November and December. Ms. Rosier reported a \$1.82M balance at the end of calendar year 2022. Ms. Rosier reminded the Board members that the December revenue spike and high calendar year-end balance was due to nearly 9,000 biennial PE and Retired PE license renewals being received throughout late November and December 2022.

A motion to approve the budget, current expenditures, and purchasing card transactions, was made by Mr. Gates, seconded by Mr. Saluja. Motion carried.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments regarding the following:

- Ms. Rosier discussed the latest exam data and results provided by NCEES and asked the Board members how they would prefer to see exam data now that all FE and PE exams have transitioned to CBT (with the exception of the Structural PE), with most offered daily and year-round. She shared she could pull NCEES exam statistics for WV applicants in real-time, at the Board's request, at any time in the future in lieu of review of the traditional semi-annual pass rates as previously reported for paper-and-pencil exam administrations. The Board agreed this was the best path forward.
- Ms. Rosier reported on current and on-going staff projects as well as participation in various meetings and trainings completed since the last Board meeting, including her travel to the new NCEES Headquarters building in

Greenville, SC. This was the first face-to-face NCEES Committee meeting she had participated in since before COVID and the first opportunity to visit the new headquarters since their relocation in 2020.

- Ms. Rosier reminded all Board members that they must file the Ethics Commission Financial Disclosure Statement (FDS) by February 1, 2023.
- The Board reviewed the upcoming meeting participation schedule, which includes National Engineers Week, WV EXPO, and the 2023 NCEES Northeast Zone meeting. Ms. Rosier confirmed she had submitted the names of Mr. Thomas, Dr. Nottingham, and Mr. Saluja as the WV PE Board member delegates who will be attending.

A motion was made by Mr. Gates, seconded by Mr. Saluja, to approve attendance and travel for Board members, staff and counsel to the activities as discussed and outlined in the Executive Director's report and the updated calendar. Motion carried.

Prior to entering into Executive Session, the Board's Counsel provided the details of the resolution of Complaints C2023-01, C2023-02, C2023-03, C2023-04, and C2023-05.

Mr. Robinson made a motion to enter into Executive Session at 10:40am, seconded by Dr. Nottingham. Motion carried.

Mr. Robinson excused himself and exited the room, as to not be part of any discussion or decision making regarding C2022-12 and C2022-13.

At 11:45am, Dr. Nottingham made a motion, seconded by Mr. Robinson, to move into General Session. The motion carried, and the Board took the following action:

- Dr. Nottingham made a motion, seconded by Mr. Gates to "Receive and File" Complaint C2023-06, and to set said Complaint for a hearing on July 18, 2023. Motion carried.
- Mr. Saluja made a motion, seconded by Mr. Gates, to move I2023-07 to Complaint. Motion carried. Furthermore, Mr. Saluja made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2023-07, and set said Complaint for a hearing on July 18, 2023. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2023-08 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to "Receive and File" Complaint C2023-08, and set said Complaint for a hearing on July 18, 2023. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Robinson, to move I2023-09 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Robinson, to "Receive and File" Complaint C2023-09, and set said Complaint for a hearing on July 18, 2023. Motion carried.

- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2023-10 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2023-10, and set said Complaint for a hearing on July 18, 2023. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Saluja, to move I2023-11 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Saluja, to “Receive and File” Complaint C2023-11, and set said Complaint for a hearing on July 18, 2023. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2023-12 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2023-12, and set said Complaint for a hearing on July 18, 2023. Motion carried.
- Mr. Saluja made a motion, seconded by Mr. Gates, to move I2023-13 to Complaint. Motion carried. Furthermore, Mr. Saluja made a motion, seconded by Mr. Gates, to “Receive and File” Complaint C2023-13, and set said Complaint for a hearing on July 18, 2023. Motion carried.
- Mr. Saluja made a motion, seconded by Mr. Robinson, to move I2023-14 to Complaint. Motion carried. Furthermore, Mr. Saluja made a motion, seconded by Mr. Robinson, to “Receive and File” Complaint C2023-14, and set said Complaint for a hearing on July 18, 2023. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Saluja, to move I2023-15 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Saluja, to “Receive and File” Complaint C2023-15, and set said Complaint for a hearing on July 18, 2023. Motion carried.

The Board acted upon the special case files as follows:

- Mr. Saluja made a motion, seconded by Mr. Gates, to approve the PE comity application for Samuel N. Bilica. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Joshua A. Haydo. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Robert D. Smythe. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Saluja, to approve the PE comity application for Jason L. Ward. Motion carried.
- Mr. Saluja made a motion, seconded by Dr. Nottingham, to approve the Business Entity - DBA Waiver application for GoEngineer LLC. Motion carried.

- Mr. Saluja made a motion, seconded by Mr. Robinson, to deny Robert A. Munas' request for a continuing education exemption. Motion carried.

The Board recessed the General Session at 12:05pm for lunch and resumed the General Session at 12:35pm.

Ms. Rosier provided an update on the 2023 NCEES Northeast Zone meeting, scheduled to be held April 27-29, 2023 in Houston, Texas. The NCEES zone interim meetings are held each spring and the four zones will meet together in Houston this year. The primary purpose of the meeting is for licensing board representatives to hear and discuss reports from the NCEES Board of Directors, the CEO, standing committees, and task forces as their work results in motions to be presented for Council vote at the Annual Meeting in August 2023. Ms. Rosier reminded the Board she submitted 3 Board members to serve as the NCEES delegates and they should receive emails in the next few weeks to register and book travel.

The Board also reviewed the 2023 NCEES Northeast Zone "Enny" Service Award call for nominations, noting they are due no later than February 16, 2021. Ms. Rosier also noted that NCEES Vice-President Tom Orisich contacted her to again serve as Chair of the 2023 Northeast Zone Awards Committee, to which she agreed.

Both President Thomas and Ms. Rosier provided an update on their 2022-2023 NCEES Committee work to date. President Thomas is a new member serving on Exam Policies and Procedures and their committee will be meeting in a few weeks in Phoenix, AZ. Ms. Rosier is completing her term as a member of the Member Board Administrators Committee (MBA). Both Committees are hard at work addressing their assigned charges of the NCEES President. Ms. Rosier shared details from her recent trip to NCEES Headquarters in Greenville, SC for the MBA Committee meeting followed by the MBA full group conference. Important topics included updates on NCEES Examinations, the 16-hour Structural exam CBT transition, the International Engineering Alliance (IEA), legislative issues and the Alliance for Responsible Professional Licensing (ARPL), as well as plans for the upcoming 2023 Combined Zone Meeting and 2023 Annual Meeting.

Ms. Rosier provided the Board with a current list of legislative bills potentially impacting Chapter 30 Boards as introduced to date during the 2023 WV Legislative Session. Ms. Rosier stepped Board members through a review of these bills using the WV Legislative website that tracks all actions for each bill. The Board also reviewed the most recent Alliance for Responsible Professional Licensing (ARPL) webinar materials and Ms. Rosier provided an update of the latest ARPL-WV teleconferences she has been participating in.

Ms. Rosier shared plans for participating in the upcoming Interprofessional Council on Registration (ICOR) Joint Session offered virtually on February 6, 2023. The session is an overview for new (and current) design profession licensing board members and executives/administrators. The session is intended to provide attendees with tools and resources to be effective, share best practices, learn how the associations support member boards, and discuss today's challenging regulatory environment and the role

licensing boards can play in helping educate policymakers. The session is scheduled for 5 hours, and could serve as continuing education for any Board member who participates.

Ms. Rosier reported approximately 15,000 of the Board's Fall 2022 InterChange newsletters were mailed out to all active PEs, Retired PEs and COA holders the last week of November. The newsletters mailed to PEs and Retired PEs, were accompanied by their biennial 2023-2024 PE and Retired PE renewal notifications. A total of 9786 PE renewals and 245 Retired renewal notices were mailed on November 28, 2022. Board staff are currently processing renewals submitted during the one-month grace period, which will end on January 31, 2023 at midnight EST. Multiple courtesy email reminders were also sent throughout December 2022 and January 2023, but only to those yet to renew. All PE renewals received during the January 1, 2023 to January 31, 2023 grace period are required to pay late fees. Official Lapsed notifications, as well as the required percentage of audit notifications, will be mailed during the first 2 weeks of February 2023.

Ms. Rosier reported that staff members are finalizing the DBA COA Waiver renewal review. This biennial waiver renewal process was implemented in December 2020 after learning that many of the existing waivers were no longer in use and many firms who previously requested such were out of business. There is no charge associated with the waiver renewal review, and the firms who were previously granted a waiver are simply asked to update their waiver request application and send back in the Board's self-addressed envelope. Once complete, staff will send official DBA waiver review results to the WV Secretary of State Business Licensing Division for their use.

Ms. Rosier and President Thomas shared they hosted Emily Papadopoulos, Executive Director for the WV Board of Architects, and Greg Williamson, a former WV Architects Board member, for a meeting the day prior to the Board meeting. The purpose of this second meeting was to discuss the WV PE Board's review and comments on the current draft of the rewrite of the Handbook for Building Officials and to develop a path for moving forward. Ms. Papadopoulos has been in contact with the President of the WV Building Code Officials Association and we agreed to participate and present at their 2023 Spring Seminar held on March 10<sup>th</sup> at Flatwoods, WV.

The Board was also presented with plans for the 2023 WV Construction and Design Exposition (WV EXPO) at the Charleston Civic Center on March 22-23, 2023. The Board will again have their regular agency booth and program insert (which serves as a Professional Development reporting document for PE attendees), in addition to conducting their annual continuing education seminar to be offered free to all attendees. This year, the Board's seminar session will be held in conjunction with the WV Architects Board where they will present "Working Together For Public Protection". This session is anticipated to be a moderated panel discussion of architects, professional engineers and code officials. Both Boards have recently been revising the Handbook for Building Code Officials and plan to present their draft content for discussion and feedback during this session. The session is being planned as highly interactive and a good refresher for professionals on issues like exempt structures, signing and sealing of documents, areas of responsibility and red flags for code officials.

The Board reviewed the latest edition of the Professional Licensure Report (PLR).

The Board reviewed the upcoming 2023 Calendar of Events and Ms. Rosier requested members notify her with any anticipated conflicts.

Upon motion by Mr. Saluja, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 1:30pm. The next Board meeting will be March 21, 2023, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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**Garth E. Thomas, Jr., P.E.**  
**Board President**

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**Leslie A. Gates, P.E.**  
**Board Secretary**